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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/773,619

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Makoto Hara

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7590

10/01/2004

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EXAMINER

SINGH, SATWANT K

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 10/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/773,619

Applicant(s)

HARA, MAKOTO

Examiner

Satwant K. Singh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 February 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/2/01
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claim 7 is objected to because of the following informalities: The word "server" is missing after "laboratory" in line 13. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5, 7-10, 12, and 14-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Leiman et al (US 6,469,796).
4. Regarding Claim 1, Leiman et al disclose a printing system (open systems printing environment 50) comprising: at least one customer service system (open print server 52) for receiving, via a network (TCP/IP network 56), order information representing the content of an order of a customer for a print (print job); a plurality of laboratory servers (printers 62) for outputting the print based on the order information (print job) transferred via the network (LAN) from the customer service system that has received the order information; and an order assigning system (output managers 60) existing between the at- least-one customer service system (open print server 52) and the laboratory servers (printers 62), for receiving the order information from the

customer service system( open print server 52), for selecting one of the laboratory servers (printers 62) to output the print based on predetermined information, and for transferring the order information (print job) to the selected laboratory server (printers 62) (Fig. 2) (An open systems printing environment includes an open print server connected to source computers through a Transmission Control Protocol/Internet Protocol (TCP/IP network. The open print server receives print jobs from the source computer and efficiently routes the jobs over a local area network (LAN) to various output managers. The output managers then have the jobs printed on directly connected printers) (col. 3, lines 50-57).

5. Regarding Claim 2, Leiman et al disclose a printing system where the customer service system (open print server) transferring the order information (input receiver receives incoming print jobs) (col. 5, line 1) and flow information (input receiver notifies Queue Manager 128 of the status of all incoming print jobs) (col. 5, lines 8-10) representing a flow of the print to the order assigning system (output managers), and the order assigning system using the flow information as the predetermined information (after a sufficient amount of data has been properly transformed, the Queue Manager notifies the selected output manager that a print job is ready) (col. 5, lines 62-66).

6. Regarding Claim 3, Leiman et al disclose a printing system wherein the order assigning system detects a load status of each of the laboratory servers at the time of receiving the order information and uses a result of the detection as the predetermined information (Queue Manager initiates a data transformation (DTF) process corresponding to the selected output manager and printer. The DTF process also

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updates the database with status information and error condition messages, and this information is made available to the GUI through the Queue Manager) (col.5, lines 49-60).

7. Regarding Claim 5, Leiman et al disclose a printing system wherein the predetermined information is information specifying one of the laboratory servers described in the order information by the customer (print operator selects a job in the server spool and directs the job to a specific printer) (col. 5, lines 49-50).

8. Regarding Claim 7, Leiman et al disclose a printing system where the order assigning system transferring information related to the selected laboratory server to the customer service system that received the order information (data is routed once to the open print server where it is merged into one print job before being printed), the customer service system generating selection information for determining a desired one of the laboratory servers based on the information and transferring the selection information to the order assigning system, and the order assigning system using the selection information as the predetermined information (an output manager corresponding to a printer capable of printing both data types is then notified of the print job) (col. 6, lines 27-34).

9. Claims 8 and 15-21 are rejected for the same reason as claim 1.

10. Claim 9 is rejected for the same reason as claim 2.

11. Claim 10 is rejected for the same reason as claim 3.

12. Claim 12 is rejected for the same reason as claim 5.

13. Claim 14 is rejected for the same reason as claim 7.

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 4, 6, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leiman et al in view of Schwarz, Jr. (US 6,476,927).

16. Regarding Claims 4 and 11, Leiman et al fail to teach a printing system, wherein the predetermined information is an address of the customer included in the order information.

Schwarz teaches a job token printer assignment system where the job ticket token includes the characteristic information regarding a print job (col. 4, lines 48-53).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Leiman with the teaching of Schwarz to add the customer address and content of the order to the predetermined information for identifying the customer addresses and orders.

17. Regarding Claims 6 and 13, Leiman et al fail to teach a printing system, wherein the predetermined information is the content of the order included in the order information.

Schwarz teaches a job token printer assignment system where the job ticket token includes the characteristic information regarding a print job (col. 4, lines 48-53).

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Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Leiman with the teaching of Schwarz to add the customer address and content of the order to the predetermined information for identifying the customer addresses and orders.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (703) 306-3430. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Satwant Singh*

skS

Satwant K. Singh  
Examiner  
Art Unit 2626

*KA Williams*

**KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER**